



MEMO ENDORSED

MICHAEL A. CARDOZO  
Corporation Counsel

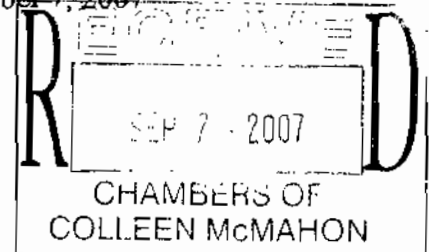
THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007

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September 7, 2007

**BY FAX (212) 805-6326**  
Honorable Colleen McMahon  
United States District Judge  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 640  
New York, New York 10007



Re: Winston Irving v. City of New York, et al., 07 Civ. 6075 (CM)

Your Honor:

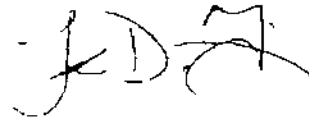
I am an Assistant Corporation Counsel in the Office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants City of New York ("City"), New York City Police Department ("NYPD") and Joseph Gartner ("Gartner") in the above-referenced matter. Defendants write to advise Your Honor that the parties have reached a settlement agreement in this matter.

In light of the fact that the parties reached an agreement this afternoon, defendants respectfully request that the initial conference scheduled for this afternoon at 2:30 p.m. be cancelled as moot. Defendants are in the process of faxing plaintiff a Stipulation and Order of Settlement and Dismissal, and will provide Your Honor with a fully executed Stipulation and Order of Settlement and Dismissal once it has been duly executed.

*Yes!*  
*30 day order*  
*Colleen McMahon*  
*9/10/07*

Thank you for your consideration herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'S.D. Fabian', with a stylized flourish at the end.

Shawn D. Fabian (SF 4606)  
Assistant Corporation Counsel  
Special Federal Litigation Division

cc: Michael W. Warren, Esq. (By Fax (718) 230-5145)  
Attorney for Plaintiff  
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